

10 Rec'd PCMA 19 JUL 2002

Docket No. 2026-4303US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): NAM et al

Serial No.: 10/009,001

Filed: December 4, 2001

For: HCV/BVDV CHIMERIC GENOMES AND USES THEREOF



Group Art Unit: TBA

Examiner: TBA

RESPONSE TO "NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371"

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the NOTICE TO FILE REQUIREMENTS UNDER 35 U.S.C. 371 dated March 19, 2002, Applicant(s) submit(s) herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

- Copy of Notice to File Missing Parts
- Two Month Extension of Time and appropriate fee
- Sequence Listing Statement Under 37 CFR 1.821(f), computer readable disk and paper copy (36 pages)
- Executed Declaration (in counterparts)
- Application Filing Fees
- Check \$530 for late filing surcharge and 2 month extension.
- The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4303US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

07/30/2002 MKAYPAGH 00000066 10009001

01 FC:154

130.00 QP

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

By:

Israel Blum

Israel Blum  
Registration No. 26,710

Dated: July 19, 2002

Correspondence Address:

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07-82-2 DT17 Rec'd PCT/PTO 19 JUL 2002  
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Docket No. 2026-4303US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : NAM et al  
Serial No. : 10/009,001 10/009,011 Group Art Unit: TBA  
Filed : December 4, 2001 Examiner: TBA  
For : HCV/BVDV CHIMERIC GENOMES AND USES THEREOF

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No.: **EU 064952772 US**

Date of Deposit: **July 19, 2002**

I hereby certify that the following attached paper(s) and/or fee:

- 1) Certificate of Express Mailing bearing label no. EU 064952772 US;
- 2) Copy of Notice to File Missing Parts of Non-provisional Application Filed Under 37 C.F.R. 1.53(b);
- 3) Response to Notice to Filing Missing Parts of Application Filed Under 37 C.F.R. 1.53(b);
- 4) Executed Combined Declaration and Power of Attorney (in counterparts);
- 5) Two Month Extension of Time;
- 6) Sequence Listing Disk;
- 7) Sequence Listing paper form 36 pages;
- 8) Statement Under 37 C.F.R. § 1.821(f);
- 9) Check for \$530.00; and
- 10) Return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231.

Joan E. Federici

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

**Correspondence Address:**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,011	Jae-Hwan Nam	2026-4303US 1
		INTERNATIONAL APPLICATION NO.
		PCT/US00/15527
		LA. FILING DATE
		02/06/2000
		PRIORITY DATE
		06/04/1999

Morgan & Finnegan  
 345 Park Avenue  
 New York, NY 10154-0053



CONFIRMATION NO. 2175  
**371 FORMALITIES LETTER**  
  
 \*OC000000007658398\*

Date Mailed: 03/19/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

CASE 02026-4303US ATTY SAC  
 DUE DATE May 19, 2002  
 STATUTORY DATE October 19, 2002  
 BY J. M.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

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The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Late oath or declaration Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

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Telephone: (703) 305-3752

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,011	PCT/US00/15527	2026-4303US

FORM PCT/DO/EO/905 (371 Formalities Notice)